

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 23-cv-21408-KMW

JAMES WATSON,

Plaintiff,

v.

YANCI, LLC, d/b/a Yancy Naturals

Defendant.

/

**PLAINTIFF'S COUNSEL'S VERIFIED CERTIFICATE
REGARDING FILINGS FOR THE SAME OR SIMILAR
VIOLATIONS OF THE AMERICANS WITH DISABILITIES ACT**

COMES NOW J. Courtney Cunningham, Esq., Counsel for Plaintiff James Watson, and pursuant to this Court Order [DE 4], hereby files this verified statement regarding prior filings for the same or similar violations of the Americans with Disabilities Act and states as follows:

1. If counsel conducted a search of case filings in the records of the Clerk of the United States District Court for the Southern District of Florida to ascertain whether the Defendant or the Defendant's property or website has ever been sued prior to the filing of this suit for any alleged violations of the ADA, counsel shall set forth the results of that search. If such a search was not made prior to filing suit, counsel shall conduct a search of the records prior to responding to this order and indicate the results of that search;

Response: Counsel has conducted a search of the filings in the records of the Clerk of the United States District Court for the Southern District of Florida to ascertain whether Defendants have been sued for the same or similar violations of the Americans with Disabilities Act and has not found a similar case where Defendants have been sued for the same or similar violations of the Americans with Disabilities Act.

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2. If there has been a prior suit of the nature referred to in the above paragraph, counsel shall state the present status of that litigation if pending and, if not pending, the nature of the disposition (i.e., settlement, dismissal, etc.);

Response: N/A

3. If there was such litigation and it was disposed of by settlement, counsel shall furnish to the Court specific details of the settlement, including any agreement for attorneys' fees and costs, either known or ascertainable with reasonable inquiry. Copies of these documents shall be furnished with the response to this Order. Counsel shall also inform the Court whether the Defendant (and/or property and/or website owned by the Defendant and the subject matter of this suit) has complied with any settlement agreement and, if not, what actions Defendant must take to comply with the settlement agreement entered into in the prior litigation; and

Response: N/A

4. If any efforts were taken by the parties to the prior litigation to enforce the terms of any settlement agreement entered into in any prior litigation, counsel shall describe these efforts. Specifically, counsel should indicate whether the owner made any of the necessary repairs to the property or website to try to bring it into compliance with the ADA, and if not, what efforts the parties in the prior litigation have taken to enforce the settlement agreement entered into in that prior litigation.

Response: N/A

Respectfully submitted on this April 21, 2023.

By: /s/ J. Courtney Cunningham
J. Courtney Cunningham, Esq.
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Counsel for Plaintiff

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 20, 2023, an electronic copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system which will send notice of electronic filing to all parties and Counsel of record.

By: /s/ J. Courtney Cunningham
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